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TO RUEHGB/AMEMBASSY BAGHDAD IMMEDIATE 8478
INFO RUEHAK/AMEMBASSY ANKARA PRIORITY 0024
RUEHKU/AMEMBASSY KUWAIT PRIORITY 6869
RUCNDT/USMISSION USUN NEW YORK PRIORITY 7706

S E C R E T STATE 094944

SIPDIS

E.O. 12958: DECL: 09/11/2019

TAGS: PREL IZ

SUBJECT: DEMARCHE REQUEST: OPTION TO ADDRESS CURRENT THREATS TO IRAQI PEACE AND SECURITY AT THE UNITED NATIONS

REF: 09 STATE 92027

Classified By: IO Assistant Secretary Esther Brimmer,
For Reasons 1.4 (b) and (d)

¶1. (U) This is an action request. Please see paras 2 and 3.

¶2. (S/REL) Embassy Baghdad is requested, at the ambassadorial level, to demarche the Government of Iraq (GOI) at the highest appropriate level in response to Prime Minister Maliki's written request to Secretary-General Ban on August 31 seeking UN support for the establishment of a special international tribunal to investigate foreign support to terror attacks on Iraq soil (a result of the August 19 Baghdad bombings). PM Maliki reaffirmed his intent to follow-up on this proposal at a September 3 meeting with Ambassador Hill and General Odierno (Ref A). The USG supports Iraq's efforts to address internal security issues and shares its concerns of the negative impact terrorist acts can have in the run-up to the January national elections. The Embassy may draw from the points below to emphasize USG concern for threats to Iraq's peace and security by suggesting an alternative to the proposed tribunal that might better address such threats.

¶3. (S/REL) Embassy Baghdad may draw on the following talking points:

--We believe a thorough investigation of these terrible crimes on August 19th is very important. We support your efforts to address internal security and share your concerns about the negative impact terrorist acts can have in advance of the January national elections. We are working with your security forces to help address internal security issues.

--As we have repeatedly made clear, foreign intervention from any source cannot be allowed to fuel terrorism and sectarian violence in Iraq.

--While we strongly support your efforts to bring international attention to all who would undermine Iraq, we believe that a UN investigative committee would be problematic for several reasons. First, you may find that it implicates your sovereignty. Second, it may not be sensitive to the needs and practices of the Iraqi judicial system. Third, it may take too much time to set up and begin its work.

--A commission of inquiry was established for the assassination of former Prime Minister Hariri in Lebanon, when the Lebanese authorities were unable to conduct an investigation due to Syrian interference. That investigation has been ongoing for almost five years with no indictments. Unlike the Hariri situation, your government is in a position to conduct a thorough investigation.

--As we work with our UNSC colleagues in addressing the Prime Minister's request, we also propose the possibility of UN

high level involvement, which could include a senior official designated by the Secretary General to help examine foreign support or involvement in this terrorist attack in Iraq. This consideration would be less intrusive than a UN investigative committee would be and therefore might be more satisfactory to you, given sovereignty concerns. Note: The UN has not yet agreed to this proposed alternative.

End Talking Points.
CLINTON